

Thomas E. Patterson  
Robert J. Pfister  
Sasha M. Gurvitz  
**KLEE, TUCHIN, BOGDANOFF & STERN LLP**  
1999 Avenue of the Stars, Thirty-Ninth Floor  
Los Angeles, California 90067  
Tel.: (310) 407-4000

Martin D. Singer  
Todd S. Eagan  
**LAVELY & SINGER P.C.**  
2049 Century Park East, Suite 2400  
Los Angeles, California 90067  
Tel.: (310) 556-3501

*Attorneys for Lubov Azria*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

Lubov Azria,  
Appellant,

vs.

BCBG Max Azria Global Holdings, LLC, BCBG Max  
Azria Group, LLC, BCBG Max Azria Intermediate  
Holdings, LLC, BCBG Max Azria International  
Holdings, LLC, Max Rave, LLC, and MLA Multibrand  
Holdings, LLC,

Appellees.

Case No. 1:17-cv-03669-LAK

Lubov Azria,  
Appellant,

vs.

BCBG Max Azria Group, LLC,

Appellee.

Case No. 1:17-cv-03694-LAK

**STIPULATION OF DISMISSAL**

WHEREAS, the above-captioned appeals arise from orders entered by the United States Bankruptcy Court for the Southern District of New York (the “Bankruptcy Court”) in the jointly-administered bankruptcy cases (collectively, the “Bankruptcy Case”) of appellees BCBG Max Azria Global Holdings, LLC, BCBG Max Azria Group, LLC, BCBG Max Azria Intermediate

Holdings, LLC, BCBG Max Azria International Holdings, LLC, Max Rave, LLC, and MLA Multibrand Holdings, LLC (collectively, the “Debtors”) and in a related adversary proceeding, which orders authorized the Debtors’ rejection of that certain *Employment Agreement* dated as of February 5, 2015 (the “Employment Agreement”);

WHEREAS, appellant Lubov Azria sought reversal of the Bankruptcy Court’s authorization of such rejection in the absence of the Debtors’ rejection of that certain *Contribution Agreement* dated as of January 26, 2015 (the “Contribution Agreement”), on the ground that the Employment Agreement and the Contribution Agreement are integrated and as such must either be assumed or rejected as one contract;

WHEREAS, without conceding or agreeing to appellant’s position or arguments, on August 1, 2017, the Debtors filed that certain *Notice of Rejection of Certain Executory Contracts* [Bankr. Docket No. 605] (the “Rejection Notice”), rejecting the Contribution Agreement effective as of July 31, 2017; and

WHEREAS, the parties agree that in light of the Rejection Notice, the relief sought in the above-captioned appeals is now moot in that both the Employment Agreement and the Contribution Agreement have been rejected by the Debtors;

NOW, THEREFORE, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, it is hereby stipulated and agreed by appellant Lubov Azria and appellees BCBG Max Azria Global Holdings, LLC, BCBG Max Azria Group, LLC, BCBG Max Azria Intermediate Holdings, LLC, BCBG Max Azria International Holdings, LLC, Max Rave, LLC, and MLA Multibrand Holdings, LLC that the above-captioned appeals be and hereby are DISMISSED WITH PREJUDICE, without any award of costs or fees by the Court.



DATED: August 7, 2017

---

Thomas E. Patterson  
Robert J. Pfister  
Sasha M. Gurvitz  
KLEE, TUCHIN, BOGDANOFF & STERN LLP

*-and-*

Martin D. Singer  
Todd S. Eagan  
LAVELY & SINGER P.C.

*Attorneys for Lubov Azria*

DATED: August 7, 2017

---

Joshua A. Sussberg, P.C.  
Christopher Marcus, P.C.  
KIRKLAND & ELLIS LLP  
KIRKLAND & ELLIS INTERNATIONAL LLP

*-and-*

James H.M. Sprayregen, P.C.  
Stephen C. Hackney  
Yates M. French  
Benjamin M. Rhode  
KIRKLAND & ELLIS LLP  
KIRKLAND & ELLIS INTERNATIONAL LLP

*Counsel to the Debtors*

DATED: August 7, 2017

---

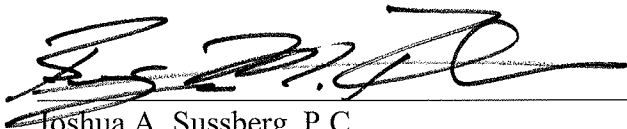
Thomas E. Patterson  
Robert J. Pfister  
Sasha M. Gurvitz  
KLEE, TUCHIN, BOGDANOFF & STERN LLP

*-and-*

Martin D. Singer  
Todd S. Eagan  
LAVELY & SINGER P.C.

*Attorneys for Lubov Azria*

DATED: August 7, 2017



---

Joshua A. Sussberg, P.C.  
Christopher Marcus, P.C.  
KIRKLAND & ELLIS LLP  
KIRKLAND & ELLIS INTERNATIONAL LLP

*-and-*

James H.M. Sprayregen, P.C.  
Stephen C. Hackney  
Yates M. French  
Benjamin M. Rhode  
KIRKLAND & ELLIS LLP  
KIRKLAND & ELLIS INTERNATIONAL LLP

*Counsel to the Debtors*